

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
SEPTEMBER 21, 2011**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Charles Lapp, Frank DeKort, Marc Pitman, Jim Heim, Jeff Larsen and Bob Keenan. Gordon Cross had an excused absence. Gene Shellerud was absent. Alex Hogle and BJ Grieve represented the Flathead County Planning & Zoning Office.

There were 21 people in the audience.

**APPROVAL OF
MINUTES**

Keenan made a motion, seconded by DeKort to approve the August 10, 2011 meeting minutes.

The motion passed by quorum.

**PUBLIC
COMMENT
(not related to
agenda items)**

None.

Jeff Larsen recused himself from agenda item FPP 11-02.

**MCGREGOR
LAKES RV
(FPP 11-02)**

A request by McGregor Lakes RV., LLC for Preliminary Plat approval of McGregor Lakes RV, a 41- space RV park subdivision on 11.093 acres within the Scenic Corridor Zoning District. The applicant is proposing a multiple-user well and sewer system. The property is located at 12255 US Highway 2 West near Marion.

STAFF REPORT

Hogle reviewed Staff Report FPP-11-02 for the Board.

**BOARD
QUESTIONS**

Hogle and Pitman briefly discussed Forest Service and Fish, Wildlife and Parks' requirements for one way traffic through campgrounds. They also discussed DNRC's and Fish, Wildlife and Parks' submitted comments concerning forest & fire concerns, impacts to local wildlife, the requirement of 24' wide roads, whether the road and property were annexed into the fire district and the requirements.

Hogle went on to discuss the design of the roads which took into account today's RV's dimensions.

Heim asked for clarification on the request for a variance for the road.

**APPLICANT
PRESENTATION**

Greg Stevens, 31 Lower Valley Road, represented the applicant. He gave a history of the application. Given his work and personal experience, he felt the project fit well into the area and would be of value. He spoke about the local campgrounds and the need for more camping opportunities in the area. He also talked about the differences in roads between the local campgrounds and why they requested a variance at this point in time. He spoke about a conifer forest visual buffer around the site of the application. They felt condition #28 concerning signage for wildlife was excessive. He explained how the people using the park would be informed of the wildlife concerns of the area. He asked the board to delete the words 'and at each RV space.' He introduced the applicants and said they were happy to answer questions.

**BOARD
QUESTIONS**

None.

**AGENCY
COMMENTS**

None.

**PUBLIC
COMMENT**

Don Cromwell, 340 McGregor Lane, was generally in favor of the application.

Ron Blake & Lynda Blake, 12140 U S Hwy 2 W, were generally in favor of the application.

Wayne Cross, 3060 Lower Lost Prairie Rd, was generally in favor of the application.

**APPLICANT
REBUTTAL**

Mike Feldmann, applicant, wanted to let the board know Hogle and the Environmental Health Office made a daunting process easier. They were professional and helpful and he wanted to thank both offices and the board for hearing the application.

**STAFF
REBUTTAL**

None.

**MAIN MOTION
TO ADOPT
F.O.F.
(FPP 11-02)**

DeKort made a motion seconded by Pitman to adopt staff report FPP-11-02 as findings-of-fact.

**BOARD
DISCUSSION**

Hickey- AuClaire clarified procedure with staff.

**ROLL CALL TO
ADOPT F.O.F.
(FPP 11-02)**

On a roll call vote the motion passed unanimously.

**SECONDARY
MOTION TO
ACCEPT F.O.F
#18 AND
APPROVE
VARIANCE
(FPP 11-02)**

Keenan motioned and Pitman seconded to accept Finding of Fact #18 and approve the requested variance.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ACCEPT F.O.F
#18 AND
APPROVE
VARIANCE
(FPP 11-02)**

On a roll call vote, the motion passed unanimously.

**BOARD
DISCUSSION**

The board and Grieve briefly discussed procedure.

**MAIN MOTION
TO
RECOMMEND
APPROVAL OF
CONDITIONS
(FPP 11-02)**

Heim made a motion seconded by DeKort to adopt Staff Report FPP-11-02 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION**

Heim and Hogle discussed why Fish, Wildlife and Parks recommended the amount of signs they did concerning wildlife, why the condition was included in the staff report and alternatives.

**SECONDARY
MOTION TO
(Amend
CONDITION #28)**

Heim motioned and Keenan seconded to amend Condition #28 to read;

28. Appropriate wildlife signage shall be installed at the entrance to the RV Park ~~and at each RV space~~ informing RV Park guests that grizzly bear, black bear, mountain lion, and a multitude of other wildlife species inhabit the area and identifying RV Park rules to minimize wildlife 'attractants' in order to limit potential conflicts with wildlife. [Section 4.7.22(c) FCSR]

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
(Amend
CONDITION #28)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

Pitman said what was proposed to avoid groundwater contamination was adequate.

**ROLL CALL TO
RECOMMEND
APPROVAL OF
(FPP 11-02)**

On a roll call vote the motion passed unanimously.

**NOONAN ET AL
(FZC-10-05)**

A Zoning Map Amendment request in the Highway 93 North Zoning District by Noonan et al. The proposal would change the zoning on 78.71 acres, from SAG-10, (Suburban Agricultural) to B-2HG, (General Business Highway Greenbelt). The properties are located on the east side of Highway 93, between Ponderosa Lane and Autumn Court.

STAFF REPORT

BJ Grieve reviewed Staff Report FZC-10-05 for the Board.

**BOARD
QUESTIONS**

None.

**APPLICANT
PRESENTATION**

Marilyn Noonan 132 Tronstad Rd, said all the owners within the zone change area were for the zone change and she presented letters of support. She summarized what the zoning entailed and how the owners would work to accommodate the zoning change. She said there was significant commercial development in the area; the owners would be able to expand their existing businesses, and preserve the greenbelt corridor among other

things. She was available for questions.

**BOARD
QUESTIONS**

Heim asked if they had considered applying for a conditional use for a wastewater plant.

Noonan said no.

**AGENCY
COMMENTS**

None.

**BOARD
DISCUSSION**

The board and Grieve discussed if a break needed to be taken to review recently submitted public comment.

**PUBLIC
COMMENT**

Lynn Stanley, read her public comment letter and was generally against the application.

Sharon DeMeester, 415 Chestnut Dr, was generally against the application.

Rick Meyers, 15 Miranda Dr, was generally for the application.

Ray Mariscal, 154 Tronstad Rd, was generally against the application.

Cork Andrew, 629 Lower Valley Rd, was generally for the application.

**APPLICANT
REBUTTAL**

Noonan said the applicants tried very hard to mitigate setbacks and building restrictions so there would not be haphazard zoning in the area.

**STAFF
REBUTTAL**

None.

**BOARD
DISCUSSION**

Larsen asked Grieve to clarify the height and setback requirements for the B2-HG zoning area.

Grieve explained the requirements in detail.

The board and Grieve discussed at length the different uses allowed between the current SAG-10 zoning and B2-HG zoning.

DeKort, Larsen, and Grieve discussed finding #7 and how properties would be able to accommodate a frontage road if they

were too close to the highway and what the alternatives would be.

The board took a 5 minute break.

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC-10-05)**

Keenan motioned and Larsen seconded to adopt staff report FZC-10-05 as findings-of-fact.

**BOARD
DISCUSSION**

Heim and Pitman discussed if a housekeeping issue needed to be amended in one of the findings.

Grieve said it was an informative point.

The board briefly discussed if finding of fact #7 needed to be amended.

**ROLL CALL TO
ADOPT F.O.F.
(FZC-10-05)**

On a roll call vote, the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL OF
CONDITIONS
(FZC-10-05)**

Larsen motioned and Heim seconded to recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION**

Larsen heard some legitimate concerns, but the restrictions of B2-HG made a nice set of standards to work with. He went on to elaborate why.

Pitman said there were three options, stick with SAG-10, go with B2-HG or develop a new zone which complied more closely with what the city of Kalispell planned for the area. He did not see where the city was zoning for residential along Highway 93 and explained the detriments of having a residential area that close to a busy highway. He was not sure if what the city was proposing was reasonable right next to the highway.

Heim said his thinking was similar to what Pitman had voiced.

Hickey-AuClaire agreed. The commissioners had adopted the new zone after a year of work and she was in support of the

proposal tonight.

**ROLL CALL TO
RECOMMEND
APPROVAL OF
(FZC-10-05)**

On a roll call vote, the motioned passed unanimously.

**BOARD
DISCUSSION**

Hickey-AuClaire and Grieve summarized the process the application would go through from this point for the public in attendance.

**COMMITTEE
REPORTS**

Hickey-AuClaire said Committee A had cancelled the last meeting and rescheduled for after tonight's meeting. Committee B was unable to meet that afternoon due to a lack of quorum.

OLD BUSINESS

Grieve summarized what Committee B had been working on which were text amendments, what the text amendments were and the process they had been through so far. He explained with the new fee schedule, there were policy footnotes which dealt with the initiation of zone changes, He didn't want to be the decider of how general revenue was spent on processing text amendments because that was something in the footnotes that said it would come before the board. Public initiated zone amendments have to come at the request of the planning board and be approved by the commissioners. In order for a file to be created and a report started to process the first package of text amendments, the planning board needed to place a request to the commission.

Hickey-AuClaire, Larsen and Grieve discussed if a pre-worded request had been made up, or if a motion would be sufficient.

**MOTION TO
REQUEST THE
FLATHEAD
COUNTY
COMMISSIONERS**

Larsen motioned and DeKort seconded to request the Flathead County Commissioners to authorize the Flathead County Planning and Zoning office to process text amendments to the Flathead County Zoning Regulations as recommended by Committee B of the Planning Board.

**BOARD
DISCUSSION**

The board and Grieve discussed correct wording for the motion.

**ROLL CALL TO
REQUEST
FLATHEAD
COUNTY
COMMISSIONERS**

On a roll call vote, the motion passed unanimously.

NEW BUSINESS

Grieve explained a request from the Kalispell Planning Office for a meeting between the Flathead County Planning Board and the Kalispell Planning Board.

The board discussed if there were positive outcomes from the last meeting between the two boards, the suggestion of a possible agenda for what Kalispell wanted to meet on, how much longer the Growth Policy workshops were expected to last, and when was the best time to schedule a meeting given there could possibly be new members to both boards in the new year.

The decision was made to suggest meeting in the new year after new members had been appointed and for specific topics to be discussed.

Lapp asked for clarification of statements Grieve made concerning the critical area ordinance in Whitefish.

Grieve explained at length to the board his position concerning the critical area ordinance in Whitefish and what would happen if the inter local agreement area was transferred back to the county.

Heim felt he got a lot out of the last meeting with Kalispell as far as their future vision for the areas surrounding Kalispell.

Grieve said it was worth noting the level of detail the two offices were able to plan at.

The board and Grieve discussed several areas in which the two differed.

The board discussed times which would not work for scheduled Growth Policy workshops in December.

Grieve let the board know he would not be available for two weeks in October.

Pitman brought up other meeting dates which he would not be able to make the meetings.

Hickey Au-Claire said the 12/28/11 meeting should be rescheduled.

ADJOURNMENT The meeting was adjourned at approximately 8:30 pm. on a motion by Heim. The next meeting will be held at 6:00 p.m. on October 19, 2011.

Marie Hickey-AuClaire, Chairman

Donna Valade, Recording Secretary

*APPROVED AS **SUBMITTED**/CORRECTED: 10 / 19 / 11*